

REMARKS

Entry of this amendment is respectfully requested.

Claims 25-27 and 29-35 were rejected under 35 U.S.C. §102(b) over Coustet. Claim 28 was rejected under 35 U.S.C. §103(a) over Coustet and Lingle. Applicants respectfully traverse each of these rejections.

Coustet (US 2005/0123772) fails to disclose a coating comprising the following:

Substrate -layer of Si_3N_4 or SiN_x -semimetallic layer -oxide layer -layer of Si_3N_4 .

The coating of Coustet does not include a semimetallic layer on a Si_3N_4 layer, where the Si_3N_4 layer which is disposed on a substrate.

All coatings in Coustet comprise a layer system of Si_3N_4 ZnO-Ag-Ti-ZnO. This system can be disposed directly on a substrate or an absorbant layer (paragraph [0061]) or a layer of TiN (i.e. a semimetallic layer, paragraph [0043]). As can be seen from the table of paragraph [0043] of Coustet, the semimetallic layer of TiN is encompassed by layers of Si_3N_4 but not by a layer of Si_3N_4 and an oxide layer.

Because Coustet does not disclose that an oxide layer should be provided on a semimetallic layer, Coustet does not disclose all features of claim 25. The subject of claim 25 is thus novel over Coustet.

Also, the subject matter of the claims is not obvious to a person skilled in the art in view of Coustet because Coustet discloses a coating comprising at least one layer system of Si_3N_4 -ZnO-Ag-Ti-ZnO. This layer system has a fixed arrangement. It would not have been obvious for a person of skill in the art at the time of the present invention to change the arrangement of these layers. A person skilled in the art would in fact assume that this layer system comprising Ag is important because this coating has to be able to act on solar radiation and/or long-wavelength infrared radiation (paragraph [0001] of Coustet).

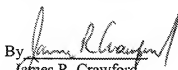
The remaining claims depend from claim 25 and, therefore, are also believed to be patentable over Coustet. Thus, all rejections must be withdrawn.

In view of the foregoing, allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-SANZ-278-US. A duplicate copy of this paper is enclosed.

Respectfully submitted

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